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**AUG 24 2006**

**OFFICE OF PETITIONS**

In re Application of	:	
Jung et al.	:	
Application No. 10/650,415	:	DECISION GRANTING PETITION
Patent No. 6,875,678	:	
Filed: August 28, 2003	:	
Issue: April 5, 2005	:	
Attorney Docket No. 5649-1123	:	

This is a decision on the petition filed April 16, 2004, requesting that the above-identified application be accorded a filing date of August 28, 2003, rather than the presently accorded filing date of August 29, 2003. The petition is properly treated as a petition under 37 CFR 1.10(c). A request for certificate of correction requesting the earlier filing date was submitted on June 17, 2005.

The application issued as U.S. Patent No. 6,875, 678 on April 5, 2005, before a decision on the petition. The Office sincerely apologizes for the delay in responding to the instant petition.

Petitioners allege that the application was deposited in Express Mail service on August 28, 2003. In support, the petition is accompanied by a copy of Express Mail receipt No. EV353607250US (the same Express Mail number found on the original application papers located in the official file). The "date-in" on the copy of the Express Mail receipt filed with the petition was partially illegible. However, the Express Mail Label does contain a USPS stamp of August 28, 2003.

Since the petition was filed before the application issued as a patent and included a copy of the Express Mail receipt, the mistake in the patent is clearly disclosed by the records of the Office, and thus the Director may issue a certificate of correction, without charge, under 35 USC § 254 to correct the filing date to August 28, 2003.

In view of the above, the petition under 37 CFR 1.10(c) is granted. No petition fee is required and none has

been paid.

The patented file is being forwarded to the Office of Patent Publication, Certificates of Correction Branch, for processing of the Certificate of Correction. Thereafter, a certificate of correction correcting the filing date of the application (now U.S. Patent No. 6,875,678) to August 28, 2003 will be issued in due course.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with the first name "Charlema" being the most prominent part.

Charlema R. Grant

Petitions Attorney

Office of Petitions